



(“Rules 16(f) and 41(b) . . . provide that a Court may, in its discretion, dismiss an action or claim for failure to comply with orders of the Court.”).

On April 10, 2014, the United States Magistrate Judge ordered the parties to submit a joint status report and proposed discovery plan, Order, ECF No. 3, but the parties wholly failed to comply with the order. On May 16, 2014, the Magistrate Judge issued an order requiring the parties to comply with the provisions set forth in the order and notified the parties that “[f]ailure to timely file the Joint Status Report or failure to cooperate in the preparation and filing of the Joint Status Report may result in the imposition of sanctions, including dismissal . . . .” *See* Order, ECF No. 4 (citing Fed. R. Civ. P. 16(f)). On May 30, 2014, Defendant Everhome Mortgage Company filed a proposed scheduling order, but noted that it had not received a response from Plaintiffs regarding the joint status report. *See* Def.’s Proposed Scheduling Order, ECF No. 5.

Based on the foregoing, this case is **DISMISSED without prejudice** pursuant to Federal Rule of Civil Procedure 16(f).

**SO ORDERED** on this **11th day of July, 2014**.

  
Reed O'Connor  
UNITED STATES DISTRICT JUDGE